

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

PATTIVA McKEAN,)	
)	
Plaintiff,)	
)	
v.)	C. A. No. 06-526-***
)	
NORFOLK SOUTHERN RAILWAY)	
COMPANY, a Virginia corporation,)	
)	
Defendant.)	

NOTICE OF DEPOSITION OF ELDRED CRESS

PLEASE TAKE NOTICE that Defendant Norfolk Southern Railway Company ("Norfolk Southern") will take the deposition upon oral examination of Eldred Cress pursuant to Federal Rule of Civil Procedure 30, before an authorized court reporter, commencing at 11:00 A.M. on August 2, 2007 at the offices of Schmittinger and Rodriguez, P.A., 414 South State Street, Dover, Delaware, 19903-0497, or at such other time and place as agreed to by the parties. The deposition will continue from day to day until completed, shall be transcribed, and may be videotaped. You are invited to attend and cross-examine the witness.

POTTER ANDERSON & CORROON LLP

By: /s/ David E. Moore
Daniel F. Wolcott, Jr. (#284)
David E. Moore (#3983)
Hercules Plaza, 6th Floor
1313 N. Market Street, P.O. Box 951
Wilmington, Delaware 19899
(302) 984-6000
dwolcott@potteranderson.com
dmoore@potteranderson.com

Dated: July 16, 2007
807105 / 30577

*Counsel for Defendant
Norfolk Southern Railway Company*

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

CERTIFICATE OF SERVICE

I, David E. Moore, hereby certify that on July 16, 2007, the attached document was electronically filed with the Clerk of the Court using CM/ECF which will send notification to the registered attorney(s) of record that the document has been filed and is available for viewing and downloading.

I further certify that on July 16, 2007, I have Electronically Mailed the documents to the following person(s):

Nicholas H. Rodriguez
Schmittinger and Rodriguez, P.A.
414 South State Street
P.O. Box 497
Dover, DE 19903-0497
nrodriguez@schmittrod.com

/s/ David E. Moore
Daniel F. Wolcott, Jr. (#284)
David E. Moore (#3983)
Hercules Plaza, 6th Floor
1313 N. Market Street, P.O. Box 951
Wilmington, Delaware 19899
(302) 984-6000
dwolcott@potteranderson.com
dmoore@potteranderson.com